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## Date: Petrifati 19, 2002 Label No. EV074199181US

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

Dawn M. Berry
Name (Print)

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ENDO, et al.

Application No.: 10/019,995

Filed: November 9, 2001

One of the Application Head The Beautiful State of the Beautiful

For: A Preparation Containing Cell Extracts For Cell-Free

PROTEIN SYNTHESIS AND MEANS FOR SYNTHESIZING PROTEIN

USING THE PREPARATION

## <u>INFORMATION DISCLOSURE STATEMENT</u> PURSUANT TO 37 CFR 1.97(b)

Assistant Commissioner for Patents Washington, D.C. 20231

February 19, 2002

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached. Besides the English abstracts, the relevance of these documents is set forth in the International Search Report previously submitted in this application.

This Information Disclosure Statement is being submitted after expiration of the three-month period following filing of the above-captioned application, but before the issuance of an Office Action on the merits.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 50-0925 and please consider this a petition.

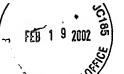
Respectfully submitted,

Luke A. Kilyk Reg. No. 33,251

Atty. Docket No.: 3190-012 KILYK & BOWERSOX, P.L.L.C. 53A Lee Street

Warrenton, VA 20186 Tel: (540) 428-1701 Fax: (540) 428-1720

Enclosures: PTO-1449, w/3 Documents





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FORM	Atty. Docket No. 3190-012 Application No. 10/019,995								Ί`			
INFORMATION DISCLOSURE STATEMENT					APPLICANT: ENDO, et al.							
					Filing Date: November 9, 2001				Group Art Unit: Unassigned			
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EXAMINER	EXAMINER DATE CONSIDERED									-		

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.